

# **Exhibit A**

Do you know anything about or have you ever worked at or with any of the following? Check all that apply.

Boies Schiller Flexner LLP

Google LLC

Morgan & Morgan PA

Quinn Emanuel Urquhart & Sullivan LLP

Susman Godfrey LLP

If any are checked, please explain:

Do you know any of the following people? Check all that apply.

Sammit Adhya

Jesse Adkins

On Amir

Alison Anderson

Josef Teboho Ansorge

Rossana Baeza

Glenn Berntson

Deepti Bhatnagar

Chetna Bindra

David Boies

Amanda Bonn

Sabine Borsay

Stephen Broome

Chasom Brown

William Burck

William Byatt

Bill Carmody

Christopher Castillo

Stephen Chung

Jomaire Crawford

Ian Crosby

Jeremy Davis

Diane Doolittle

Greg Fair

Teuta Fani

Adrienne Porter Felt

Donald Seth Fortenberry

Alexander Frawley

Steve Ganem

Tracy (Xi) Gao

Ramin Halavati

Helen Harris

Marie Hayrapetian

Jonathan Hochman

Sara Jenkins

Mark Keegan  
Michael Kleber  
Michael Lasinski  
James Lee  
Blake Lemoine  
Bert Leung  
Chris Liao  
Mandy Liu  
Mark Mao  
AbdelKarim Mardini  
Joseph Margolies  
Jean Martin  
Rory McClelland  
Rachael McCracken  
Ryan McGee  
Keith Mitnik  
David Monsees  
Crystal Nix-Hines  
Alyssa Olson  
Chris Palmer  
Konstantinos (“Kostas”) Psounis  
Shawn Rabin  
Brian Rakowski  
Michael Ram  
Beko Reblitz-Richardson  
Aarti Reddy  
Caitlin Sadowski  
Andrew Schapiro  
Bruce Schneier  
Justin Schuh  
Paul Schwartz  
Martin Shelton  
Steven Shepard  
Ryan Sila  
Sonal Singhal  
Carl Spilly  
Bruce Strombom  
Parisa Tabriz  
Thao Thai  
Viola Trebicka  
Monique Trujillo  
Jonathan Tse  
Lorraine Twohill  
Troy Walker  
Brett Watkins

M. Logan Wright

John Yanchunis

Georgios Zervas

If any names are checked, please explain:

Do you or anyone close to you use private browsing modes when on the internet?

(drop down answers)

No

Yes, Brave

Yes, Chrome Incognito

Yes, DuckDuckGo

Yes, Microsoft Edge InPrivate

Yes, Mozilla Firefox

Yes, Safari private browsing

Yes, Tor

Yes. Please describe:

Have you or anyone close to you ever believed they had a claim for invasion of privacy, been part of a data or privacy breach, or had their identity stolen?

No

Yes. Please describe

Do you or anyone close to you have a strong opinion about any of the following?

(drop down answers)

Large technology companies (Yes, self / Yes, someone close)

Google (Yes, self / Yes, someone close)

A person's right to privacy [while using the internet](#) (Yes, self / Yes, someone close)

[Harm that is not physical in nature](#) (Yes, self / Yes, someone close)

[Lawsuits against large companies / Civil lawsuits](#) (Yes, self / Yes, someone close)

If Yes to any of the above, please explain:<sup>1</sup>

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<sup>1</sup> **Plaintiffs' Statement:** Plaintiffs' proposed edits are warranted. Plaintiffs insert "on the internet" because the case is about an alleged violation of privacy *on the internet*, and the jurors' views on that subject are relevant. Similarly, the harm in this case is not physical in nature; some jurors may have a strong opinion about non-physical harm. This case is also a lawsuit "against a large company." Google's counter-proposal ("civil lawsuits") is vague and confusing. Some jurors may not even know what "civil lawsuit" means. Finally, Plaintiffs' proposed edits are neutral, and will provide helpful information for both sides.

**Google's Statement:** Plaintiffs' proposal improperly conditions the jury. First, Plaintiffs suggest that there is a generic and codified legal "right to privacy while using the internet," as opposed to specific legal claims with set elements. Second, asking the jury about "lawsuits against large corporations" is problematic because it (1) suggests this case is only about wrongdoing of a large corporation when it is also about the conduct of the parties bringing the claims and (2) is so broad it is not relevant to the case because it covers irrelevant types of lawsuits, including criminal and bankruptcy cases. To the extent jurors have strong views about civil lawsuits, Google's alternate

Do you, a family member, or someone close to you have expertise or had training, taken courses or worked in or around the following areas?

(drop down answers)

Law (Yes, self / Yes, family / Yes, someone close)

Privacy (Yes, self / Yes, family / Yes, someone close)

Technology (Yes, self / Yes, family / Yes, someone close)

Data Security (Yes, self / Yes, family / Yes, someone close)

Computer Programming or Coding (Yes, self / Yes, family / Yes, someone close)

Drafting or Negotiating Contracts (Yes, self / Yes, family / Yes, someone close)

Drafting Disclosures or Policies (Yes, self / Yes, family / Yes, someone close)

If Yes to any of the above, please explain:

Does any of the following apply to you, a family member, or someone close to you?

(drop down answers)

Hold or held a leadership role at work, in a social group, or on a jury

Serving or served in the military

If Yes to any of the above, please explain:

Have you or anyone close to you ever signed up with a law firm to pursue privacy-related claims?

No

Yes. Please describe:

[Are you familiar with Google CEO Sundar Pichai?](#)<sup>2</sup>

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proposed formulation will elicit those views with a more balanced question. Third, Plaintiffs failed to plead or provide any discovery on “harm that is not physical,” so whether or not Plaintiffs pled and can recover for “harm that is not physical” is a disputed question in this case. Google does not believe it is appropriate to survey the jury’s view on one specific type of damages or damages that should not be at issue in the case given Plaintiffs’ failure to comply with their pleading and discovery obligations. *See* Dkt. 1028-1 at 26.

<sup>2</sup> **Plaintiffs’ Statement:** Plaintiffs propose just this one additional question. Leaders of technology companies can be influential people, particularly in the Silicon Valley community. Some jurors will have strong opinions about Mr. Pichai—positive or negative—just as they would about leaders of other large technology companies like Facebook or Twitter. This question is particularly appropriate for this case because Plaintiffs will proffer and rely on evidence concerning Mr. Pichai’s role in making key decisions about Incognito.

**Google’s Statement:** This question improperly attempts to suggest that this lawsuit is about Mr. Pichai. Plaintiffs did not list Mr. Pichai on their witness list or on the list of potential witnesses/names associated with the case, conceding that he is not central to this case and certainly not central enough to warrant an individualized question. Plaintiffs also declined Google’s compromise proposal of including Mr. Pichai in the list of names in Question 2, making it clear that this question is not designed to identify familiarity with Mr. Pichai. Mr. Pichai has been the

No

Yes. Please describe:

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subject of a number of high-profile news articles and this question could cause jurors to improperly associate the conduct referenced in those articles with this case.